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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)

Amendment of Section 73.202(b))

Table of Allotments)

FM Broadcast Stations)

Graham, TX)

MM Docket No. 99-233

RM-9662

To: Kathleen Scheuerle
Allocations Branch

**REPLY COMMENTS IN SUPPORT OF
COUNTERPROPOSAL**

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Counsel for North Texas
Radio Group, L.P.

August 31, 1999

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SUMMARY

On August 16, 1999, North Texas Radio Group, L.P. ("NTRG") submitted a **Counterproposal** in this Rulemaking proceeding.

While Petitioner had requested the allotment of FM channel 253A to Graham, TX, as a "second [local] FM service," ^{1/} (see Petition for Rule Making at 1), the **Counterproposal** seeks to upgrade FM station KBOC (FM) at Bridgeport, TX from Class A to a full Class C and to make several related changes that will result in numerous public interest benefits, including the provision of new "**first local aural service**" to several communities in Texas and in Oklahoma.

In short, the **Counterproposal** includes:

1. **BRIDGEPORT, TX** -- downgrade Station KJMZ (FM), at Lawton, OK, from channel 251C1 to channel 251A (but increase KJMZ's HAAT and replace current horizontally-polarized antenna with circularly-polarized antenna to improve service to Lawton) and upgrade Station KBOC-FM at **Bridgeport, TX** from channel 252A to 252C; and

2. **RANGER, TX** -- delete channel 252A at **Stephenville, TX**, allot channel 253A to **Ranger, TX** as a "first local aural service" and modify the license of station KCUB (FM) to specify operation on channel 253A at Ranger, TX; and

3. **PRICE, TX** -- allocate channel 253A as a "first local aural service" at **Price, TX**; and

^{1/} The May 26, 1999 Petition, filed by Graham Tollway Broadcasting Co., erroneously represents in the indented allocation box on page one that there are no "Present" allocations to Graham, TX. In fact, if Petitioner's proposal were granted, it would be the **third** local aural service allocated to Graham, TX.

4. TECUMSEH, OK -- delete channel 253C3 at well served Ardmore, OK, allot channel 253A as "first local aural service" at Tecumseh, OK and modify license of KACO (FM) to specify operation on channel 253A at Tecumseh, OK; and

5. PALESTINE, TX -- downgrade Station KYYK (FM) at Palestine, TX from a C-2 to a C-3 facility and move its antenna site into the city of Palestine so as to improve its service to the city of license; and

6. FORT TOWSON, OK -- delete channel 253C3 at Bonham, TX, allot channel 262A at Fort Towson, OK as a "first local aural service" and modify the license of KFYZ (FM) to specify operation on channel 262A at Fort Towson, OK.

Discussion

Petitioner filed Comments on August 11, 1999, in which it argued broadly (without specificity) that the public interest would be served by the allocation of a third aural service to Graham, TX.^{2/} In fact, Graham has diminishing needs for new radio service because, since the most recent "oil bust," Graham's population has been static and its school enrollment is actually declining.^{3/}

^{2/} Petitioner also reiterated, in its Comments, an intention to apply for channel 253A if it were allocated to Graham, TX.

^{3/} Phone interviews by counsel on 8/31/99 with Norma Choate of the Graham School District [940-549-0595] and the assistant to Graham City Clerk, Rogers Nanny [940-549-3322].

By contrast, the Counterproposal offers "Texas-size" public interest benefits:

-- First Local Aural Service to 10,000 persons (Ten Thousand Persons) in four (4) "needy" communities in both Texas and Oklahoma ^{4/};

-- Improved signal coverage for licensed station KJMZ (FM) to Lawton, OK, its city of license; ^{5/}

-- Improved signal coverage for licensed station KYYK (FM) to Palestine, TX, its city of license; ^{6/}

-- Expanded service area and improved signal coverage for licensed station KBOC (FM), Bridgeport, TX -- a fast-growing city that needs wide-area coverage. ^{7/}

^{4/} The communities of Ranger, TX; Price, TX; Tecumseh, OK; and Fort Towson, OK each would receive a "first local aural service." See Counterproposal, supra, at 5-10.

^{5/} See Counterproposal, supra, at 4 and note 5.

^{6/} See Counterproposal, supra, at 6-7.

^{7/} The incorporated city of Bridgeport, TX has been growing at nearly double-digit rates for the last several years. Barney Cleghorn of the Bridgeport Post Office reports an 11% increase in postal customers annually. Butch Moorem, of Wise Ready Mix [concrete], and Jennifer Allen, of Design Roofing, say that new home construction in Bridgeport is up 42%-73% in the last 4-5 years. The owner of James Wood Motors reports sales up over 70% in the past five years, with the number of weekend shoppers having doubled -- so he hired more staff. Sprint's manager Robert Burns estimates Bridgeport's annual growth at 10 percent. Century 21 Real Estate in Bridgeport experienced 54% annual growth and recently added an extra office.

The net public interest benefits, described above, far outweigh Petitioner's proposal and easily will result in a preferential arrangement of FM allotments. See Revision of FM Assignment Policies & Procedures, 90 FCC 2d 86, 90 (1982).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert Thompson", with a stylized flourish at the end.

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Counsel for NTRG

August 31, 1999

Certificate of Service

I, Robert Thompson, counsel for NTRG, certify that I served this date a copy of the foregoing **Reply Comments** on counsel for the Petitioner by first class mail at the address below:

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Robert Lewis Thompson

August 31, 1999